

Remarks:

Applicants appreciatively acknowledge the Examiner's confirmation of receipt of applicants' claim for priority under 35 U.S.C. § 119(a)-(d).

Reconsideration of the application is requested.

Claims 1 to 21 are now in the application. Claims 1 have been amended. Claims 12 through 21 have been added.

In item 3 on pages 2 to 3 of the above-identified Office action, claims 1 to 11 have been rejected as being indefinite under 35 U.S.C. § 112, second paragraph.

More specifically, the Examiner first rejects claim 1 because a type of control is indicated therein but claim 1 does not have a step setting forth such control. Accordingly, the phrase "controlling . . . the cleaning operation based upon the documented parameter settings" has been added to claim 1. Applicants have also added claim 12 to specifically indicate how the control is carried out - open-loop or closed-loop. Similarly, applicants have added claim 13, in which the kind of control is merely control, regulation, and documentation. Claims 14 to 21 have been added based upon original claims 2 to 11. No new matter has been added.

In lines 9 to 12 of item 3 on page 2 of the Office action, the Examiner indicates that the terms "open-loop" and "closed-loop" are indefinite. It is respectfully noted that "open-loop" and "closed-loop" control are well known to those having ordinary skill in the art and, therefore, a detailed explanation of such control is not necessary and, especially, is not needed within the specification. Nonetheless, applicants have attached hereto various publications on the Internet (found using a simple search on www.google.com) describing what is "open-loop" and "closed-loop" control and what are the differences between "open-loop" and "closed-loop" control.

In the last sentence on page 2 of the Office action, the Examiner believes the claims to be infinite because "it is not clear how can the parameters for a step be set by comparative measurements." To even more clearly define the invention of the instant application, applicants have amended claim 1 to include "controlling the setting parameters for the at least one partial step of the cleaning operation based upon the documented parameter settings."

As for the word "parameters" rejected on page 3, lines 1 to 2, of the Office action, applicants respectively believe that this word is clear to one having ordinary skill in the art.

With regard to claims 2, 6, and 8, the Examiner states that the claims are indefinite "because it is not clear how can the mixture include only detergent." (Emphasis added by applicants.) Emphasis is added because the Examiner has implied this word improperly into the claims. None of these claims use the word "only." A mixture combines various features, and the mixture set forth in the claims includes, for example, features as set forth in claims 2, 6, and 8.

With regard to claim 3, comparative measurements are a part of closed-loop control (because feedback is present). Thus, claim 3 is definite. See also the current amendments to claim 1.

With regard to claim 4, the three referenced terms are examples of forms in which the cleaning medium exists.

With regard to claim 5, it is respectfully submitted that the phrase "a quantity of the mixture of cleaning medium present" is clear. Nonetheless, applicants have amended claim 5 for clarity only.

Claim 7 has been amended to even more clearly describe the features therein. As for the second sentence, in the rejection, applicants respectfully believe that the features are not indefinite.

Finally, as to claim 9, a "mixture emptying operation" is an operation in which the mixture is emptied from the dishwasher.

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, second paragraph. The above noted changes to the claims are provided solely for the purpose of satisfying the requirements of 35 U.S.C. § 112. The changes are neither provided for overcoming the prior art nor do they narrow the scope of the claim for any reason related to the statutory requirements for a patent.

In item 8 on page 5 of the above-identified Office action, claims 1 to 11 have been rejected as being obvious "over any one of US Patents 5,536,663, 5,500,050, 4,783,314 and WO 93/16225" under 35 U.S.C. § 103.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page

7, line 20, page 8, lines 3 to 26, and page 9, lines 8 to 26, of the specification of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Claim 1, as amended, and claim 13 call for, *inter alia*, a method for the control and documentation of a cleaning operation with a cleaning medium in a household dishwasher, including the steps of:

adding at least one indicator to a quantity of the cleaning medium during a prewash step to create a mixture and measuring a concentration of the at least one indicator in the mixture;

setting parameters for at least one partial step in the cleaning operation by comparative measurements of a concentration of the at least one indicator in the mixture;

documenting at least the parameter settings; and

controlling the setting parameters for the at least one partial step of the cleaning operation based upon the documented parameter settings.

None of the cited reference discloses or suggests any of the steps of adding "at least one indicator to a quantity of the cleaning medium during a prewash step," "setting parameters for at least one partial step in the cleaning operation by comparative measurements of a concentration of the . . . indicator in the mixture," and "controlling the setting parameters for the . . . partial step of the cleaning operation based upon the documented parameter settings" as set forth in claims 1 and 13.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 13. Claims 1 and 13 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claims 1 or 13.

In view of the foregoing, reconsideration and allowance of claims 1 to 21 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

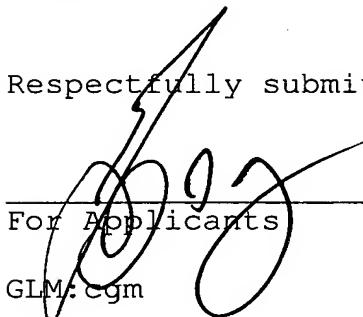
Applic. No. 10/073,555
Response Dated March 8, 2004
Responsive to Office Action of October 6, 2003

If an extension of time for this paper is required, petition
for extension is herewith made.

The extension fee for response within a period of two (2)
months pursuant to Section 1.136(a) in the amount of **\$420.00**
and the fee for one (1) additional claim in the amount of
\$18.00 in accordance with Section 1.17 are enclosed herewith.

Please charge any other fees that might be due with respect to
Sections 1.16 and 1.17 to the Deposit Account of Lerner and
Greenberg, P.A., No. 12-1099.

Respectfully submitted,


For Applicants

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